IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 314 OF 2006.
IN
CONTEMPT PETITION NO. 6 OF 2006
IN
NOTICE OF MOTION NO. 2858 OF 1993
IN
L.C.SUIT NO. 2297 OF 1991

Ashfaqul Haq Khan. ... Appellant.
Versus.
The Muncipal Corporation of
Greater Mumbai and another. ... Respondents.

Ms.Mili Thakkar i/by Shri R.V.Thakkar for the Appellant.

Shri A.Y.Sakhare, Senior Advocate with Shri K.N.Gaikwad
for the Respondent.

CORAM : KSHITIJ R.VYAS, C.J., &
ABHAY S.OKA, J.

DATE : 13th July, 2006.

P.C.:

1. The learned Counsel appearing for the Appellant seeks permission to withdraw this Appeal with liberty to approach the Apex Court under Article 136 of the Constitution of India, in view of the decision rendered by the Apex Court in Midnapore Peoples Cooperative Bank Ltd. v/s. Chunilal Nanda and others, (2006 AIR SCW 2766). The Appeal is accordingly dismissed as withdrawn with liberty as prayed.

CHIEF JUSTICE

ABHAY S.OKA, J.